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UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

DAVID STEBBINS,

PLAINTIFF

VS.

Case 3:21-cv-04184-JSW

KARL POLANO, et al

DEFENDANTS

MOTION FOR EMERGENCY TREATMENT

Comes now, pro se Plaintiff David Stebbins, who hereby submits the following motion for emergency treatment of the Motion to Strike (Dkt. 130).

1. This motion will, itself, be listed as an emergency motion so the Court can see it immediately.
2. There is a motion to strike the corporate defendants' Motion to Dismiss, since they filed it after they were already voluntarily dismissed from the action.
3. In my opinion, the law is exceptionally one-sided on this issue (the right to voluntary dismissal is absolute and non-reviewable and the effects of dismissal are well-established), so there is no need for complex considerations of fact or law.
4. In addition to that, if the Court does not strike the motion to dismiss, I will have to respond substantively to it, and I need to know in advance if I still need to do that.
5. The defendants' actions are highly irregular here (filing a motion after they've already been dismissed and then asking the Court to still consider it despite it being improperly filed), and I need to know how I am supposed to respond to it.
6. So an expeditious ruling on that motion to strike would greatly be in the interests of justice and judicial economy.
7. I therefore ask the Court to issue a ruling on the Motion to Strike as early as this week.
So requested on this, the 12th day of April, 2022.

/s/ David Stebbins

David Stebbins

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